

**GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA**

UNSTARRED QUESTION NO:3259

ANSWERED ON:15.04.2008

DATA ON WITNESSES TURNING HOSTILE

Patel Shri Jivabhai Ambalal; Vasava Shri Mansukhbhai D.

Will the Minister of HOME AFFAIRS be pleased to state:

- (a) whether the Government has any data on witnesses turning hostile;
- (b) if so, the details thereof;
- (c) if not, the reasons therefor; and
- (d) the effective steps taken by the Government to check the trend and also to ensure that false witnessing does not result in acquittal of real culprits and conviction of innocent persons?

Answer

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRIMATI RADHIKA V. SELVI)

(a) to (c): Data in respect of witnesses turning hostile is not maintained. Such information is not being received from courts.

(d) To ensure reliability of witness during deposition in court and also to contain the menace of witnesses turning hostile, the Code of Criminal Procedure (Amendment) Bill, 2006 has, inter alia, proposal to insert new sections 164B and 344A in the Code of Criminal Procedure, 1973 to provide that the statements of all persons which appear to be material and essential for proper investigation of the case relating to offences punishable with death or imprisonment for ten years or more shall be recorded on oath by Magistrate who will also satisfy himself that such person is making the statement voluntarily and not under any inducement, threat or promise and also to enhance the punishment for perjury after the summary trial.